

Long-Term Care Survey Alert

Abuse Prevention: TRAIN THE TRAINER SESSIONS RAISE THE BAR FOR FACILITIES

"Train the trainer" sessions on abuse and neglect conducted this year by the **Centers for Medicare & Medicaid Services** provide a wealth of information nursing facilities can use to prepare for surveyor scrutiny.

CMS provided the training for state and regional office surveyors last May and recently extended the deadline until March 30, 2002 for these agencies to train surveyors in their respective locations. CMS has encouraged states to include providers in the training program, which focuses on survey protocols implemented in July 1999.

CMS says the material is nothing new. But attorney **Marie Infante** with **Mintz Levin Cohn Ferris Glovsky & Popeo** in Washington believes the training "upped the bar" in terms of expectations of about what facilities should be doing to prevent abuse and neglect. "The training focused mostly on best practices rather than compliance with regulations," she says. "This same effect occurred with the CMS satellite training for dental care and mental health services.

"Also, CMS is leaving it up to the individual survey agencies to get the new information down to providers," Infante adds.

What Surveyors Will Be Looking For

The trainers focused on the seven key components for abuse and neglect detection and prevention in Appendix Q to the State Operations Manual as the framework for a comprehensive strategy for preventing, detecting and responding to abuse and neglect. **Linda Joyce**, from the CMS Center for Medicaid and State Operations, told attendees that the training was intended to be generic for all long-term care settings, so survey agency representatives would have to "crosswalk" the seven key components to F tags for nursing homes.

The seven components, and some of the questions surveyors may be asking, are as follows:

1. Take a proactive approach to prevention of abuse and neglect. Surveyors will assess whether the facility reviews incidents for "lessons learned," creating a feedback loop to change policies.
2. Use effective screening procedures to ensure quality care. CMS suggests both preadmission and pre-employment screening. Residents should be screened to ensure a good fit with the facility.
3. Identify abuse and neglect risk factors. Facilities should consider the full continuum of factors that may create an abuse-prone environment, including pay rates, isolation and the building layout.
4. Offer training and development to support quality care. Residents should also be trained in abuse and neglect and know what to do if they have a problem.
5. Protect the rights and well being of individuals receiving services and staff. Surveyors are directed to ask staff if they feel protected from intimidation for reporting an incident.
6. Facilitate proper reporting and conduct timely and effective investigations. The facility's policies, procedures and operations should require immediate reporting of suspected abuse and neglect.
7. Establish protocols for responding to allegations of abuse and neglect. Surveyors may ask residents how quickly the facility responded to their reports or concerns about abuse or neglect and if they saw changes in the quality of their care as a result of reporting incidents.

